

UNITED STATES DISTRICT COURT
OF NEBRASKA

CIVIL COMPLAINT

Ray D. Wolfe

Plaintiff's,

v.

Sandhills Global, c/o CEO Tom Peed

Kelly Richardson, Individually, and
Professionally as Sales Recovery manager

Defendant's

Civil Action:

No:

4:22CV3257

Jury Trial demanded

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2022 NOV 29 AM 10:52

COMPLAINT

Plaintiff Ray D. Wolfe brings this action to obtain redress for the deprivation and conspiracy to deprive Plaintiff's of his federally protected rights as hereafter alleged, and for and defamation of character and loss of business revenue due to Defendants actions.

JURISDICTION

1. This court has subject matter jurisdiction pursuant to 28 U.S.C. §1232, since there is diversity of citizenship with a defendant, and this is a civil action involving, exclusive of interest and costs, a sum in excess of \$75,000.00. This court also has jurisdiction over the causes of action alleged in this petition pursuant to federal pendant jurisdiction.

VENUE

2. Venue is appropriate in this judicial district under 28 U.S.C. § 1357 because Defendants Sandhills Global Inc, and Kelly Richardson are residents of Nebraska and that a substantial part of the events giving rise to this complaint occurred here in Nebraska.

THE PARTIES

3. Plaintiff, Ray D. Wolfe (hereafter “Wolfe” is a legal alien, fully authenticated with both the State of Missouri and United States, State Department, currently residing in the State of Missouri.
4. Defendant, Sandhills Global, (hereafter “Sandhills”) is a corporation within the State of Nebraska..
5. Defendant Kelly Richardson, hereafter (“Richardson”) is a citizen of the state of Nebraska.

FACTS

6. Starting around the mid part of 2015 or so plaintiff Wolfe started using defendants auction site “AuctionTime” and had purchased over 100 tractor front end loaders and numerous other pieces of equipment during the time up until around August or so of 2020 while bidding on a couple of items plaintiff Wolfe could no longer bid and was banned from using the platform.

7. On or around 2015 to 2018 or so plaintiff also had one of his employees that was computer efficient to bid on items while plaintiff was out of the office. His name is Jason Witt. Together we had been able to purchase numerous items without a hitch.

8. One Wednesday in or about August 2020 while Plaintiff Wolfe was bidding on more equipment that all of a sudden plaintiff Wolfe could no longer bid. Plaintiff had already purchased two front end loaders earlier that week from defendants auction platform.

9. Plaintiff Wolfe called into Sandhills administration office to see what the problem was and the lady told plaintiff that his account had been suspended because of negative feedback.

10. Plaintiff Wolfe requested to know where the negative feedback came from so he could confront the accuser, but defendant’s employee failed to provide that information. Therefore plaintiff had no idea where the information came from but knew of other websites that offered auctions so he did not think too much about this injustice at the time.

11. Plaintiff then tried to use another auction platform to purchase equipment that he had used numerous times in the past but it turned out to be blocked as well.

12. On the following Friday plaintiff went to log onto Equipment Facts to attend an auction but found out that he was banned from using that auction site as well. Come to find out it too was owned by defendant Sandhills Global.

13. Plaintiff called into the Equipment Facts administrator and found out that both companies are owned and run by defendant Sandhills Global, and he asked to speak with a supervisor which was defendant Kelly Richardson.

14. Defendant Richardson acted in a hostile manner and said that there was a complaint against plaintiff from an auction company and that plaintiff's account was suspended. Defendant Richardson would not disclose the auction companies name or they too would be a party to this lawsuit for defamation of character.

15. Defendant Richardson made other accusation which were not accurate and with his temper, no telling what he wrote on my information sheet. But no Sandhills employee has the authority to over ride what ever lies defendant Richardson listed.

16. Since plaintiff Wolfe cannot seem to get this straightened out thru the defendants Sandhills administration office and cannot speak with the CEO of the company, I am sure their attorney will be in contact within 21 days of service of process.

17. Due to the negligent of defendants, plaintiff has incurred monetary damages in lost equipment sales as well as damages from the derogatory comments made by defendant Richardson. In reality defendant Sandhills Global has also lost revenue due to the lies and negligence of defendant Richardson.

18. Plaintiff Wolfe has used various auction sites and purchases between a quarter and half a million dollar worth of equipment for resale yearly but has to use a 3d party purchaser to buy on

AuctionTime or Equipment Facts, even though plaintiff still uses other Sandhills sites without a problem or an issue with the site. This problem is ALL due to defendant Kelly Richardson, and Sandhills Global's inability to oversee the injustice that defendant Richardson commits. No telling how much business Sandhills Global is losing due to defendant Richardson.

19. The defendant's Sandhills Global, and Kelly Richardson and possible others unknown to plaintiff at this time has maliciously, willfully, wanton and vindictively committed prejudice and defamation of character, through libel, or slander, and has caused plaintiff to type and file this lawsuit, instead of being at the Brinkley auction like plaintiff had planned for Thursday and Friday. Plaintiff has since found out his account has been on revoked on both AuctionTime and EquipmentFacts.

Count I

DEFAMATION

20. Plaintiff incorporates by reference paragraphs 1 through 19.

21. Defendant's Sandhills Global and Kelly Richardson maliciously and willfully, defamed plaintiff by making statements and filing claims on his AuctionTime and Equipment Facts file which defendants knew or should have known to be false. These statements were made with the intent and certain knowledge that these lies would be reprinted in print form and/or on other media outlets website that other auction sites use and that these defendants willfully entered false and derogatory information with the intent to mislead the other administrators the true nature of this case. That defendants knew, or should have known that the derogatory information was illegal, unjust, malicious, and criminal in nature.

22. That such untrue statements by defendants and others maliciously and willfully defamed plaintiff in writing and verbally, and damaged his good name, character and reputation as an honest and fair business owner and online auction purchaser and seller.

23. Defendant's Sandhills Global and Kelly Richardson and possible others within the company published these allegations, that they knew to be false, misleading, and caused

irreparable harm by the willful, wanton and malicious conduct, and that these statements were completely unfounded due to the fact the defendant Richardson apparently made the false statements without actual reasons since he failed to disclose the alleged perpetrators to plaintiff.

CONSPIRACY TO DEPRIVING PERSONS OF EQUAL PROTECTION OF THE LAWS

24. Plaintiff incorporates by reference paragraphs 1 through 23.

25. Defendant's Sandhills Global and Kelly Richardson conspired with each other, and possible others unknown to plaintiff at this time to deprive plaintiff Wolfe of equal protection of the laws and the equal privileges and immunities under the laws. As a result of the conspiracy, plaintiff was injured by defendants in his property interests, and being able to increase his business interest thru the purchasing of equipment on defendant's website.

26. Defendant's Sandhills Global and Kelly Richardson's actions were prejudice in nature and would be illegal in a civilized society. That they committed a fraud by perpetrating a lie which kept plaintiff from purchasing inventory and equipment from Sandhills auction site AuctionTime and EquipmentFacts.

27. That due to defendant's negligence and illegal actions that plaintiff Wolfe is entitled to monetary damages.

RELIEF REQUESTED

WHEREFORE, Plaintiff's requests the following relief from defendants for the atrocities, unethical, and illegal actions committed against plaintiff:

a. Count I, Judgment against Defendant's Sandhills Global and Kelly Richardson, and possibly others, jointly and severally for compensatory damages of (One million dollars) \$1,000,000.00 dollars, for defendant's defamatory comments and written statements that they knew to be false, unfounded, and contrived; Compensatory damages of (One Million dollars) \$1,000,000.00 dollars; Punitive damages for Defendant's willful, outrageous and malicious statements and

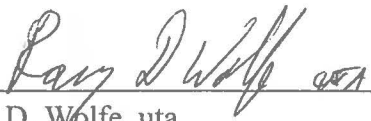
conduct, of (Two Million dollars); \$2,000,000.00 dollars; the costs of the suit and attorney's fees; nominal damages, and such other and further relief as the court may deem proper.

b. Count II, Judgment against defendants Sandhills Global and Kelly Richardson, jointly and severally for conspiring to deprive plaintiff of income off of the purchasing and selling of equipment and for violating plaintiff of his equal protection of the law; compensatory damages of (one Million dollars,) \$1,000,000.00 dollars; Punitive damages against defendant's willful, wanton, outrageous and malicious conduct, of (Two Million) \$2,000,000.00; the costs of their suit and attorney's fees; nominal damages, and such other further relief as the court may deem proper.

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury.

Respectfully Submitted,



Ray D. Wolfe, uta
23142 Lawrence 1210
Aurora Mo. 65605

VERIFICATION

State of Missouri _____
County of Lawrence

Ray D. Wolfe, being first duly sworn under oath, presents that

he/she is the plaintiff in this action; that he/she knows the contents of the complaint or allegation;

and that the information contained therein is true to the best of his/her knowledge, information and belief.

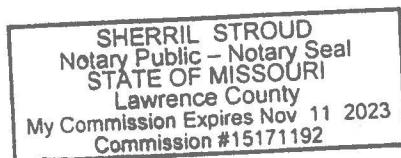
Ray D Wolfe uta
Name

All parties must verify

SUBSCRIBED AND SWORN TO before me this 18th day of November, 2022.

Sherril Stroud
Notary Public

Nov. 11, 2023
My commission expires:



Ray D Wolfe uta
Ray D. Wolfe uta

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Ray D. Wolfe uta

(b) County of Residence of First Listed Plaintiff Lawrence Missouri
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number)
Pro-se

DEFENDANTS

Sandhills Global, c/o Tom Peed

County of Residence of First Listed Defendant Lancaster Nebraska
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
Unk

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input checked="" type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input checked="" type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability LABOR <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395m) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. 1232Brief description of cause:
Loss of business due to libel, slander and unjust business practices

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.DEMAND \$
2 millionCHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

18 Nov. 2022

Ray D. Wolfe pro-se, uta

Ray D. Wolfe

NOV 29 2022

FOR OFFICE USE ONLY

CLERK
U.S. DISTRICT COURT
LINCOLN



Mr. Ray D. Wolfe
23142 Lawrence 1210
Aurora, MO 65605



RDC 99



66508

U.S. POSTAGE PAID
FCM LG ENV
AURORA, MO
65605
NOV 19, 22
AMOUNT
\$1.92
R2304N118146-04



US. DISTRICT COURT
100 Centennial Mall N. Ste. 593
Lincoln NE 68508

RECEIVED

NOV 29 2022

CLERK
U.S. DISTRICT COURT
LINCOLN